

**To:** Hall, Lynda[Hall.Lynda@epa.gov]  
**From:** Waye, Don  
**Sent:** Fri 2/8/2013 9:58:29 PM  
**Subject:** Legal Options/Timelines for Oregon Under CZARA Settlement Agreement If Deadlines are Missed  
Options for Oregon CZARA Settlement Agreement 020613.doc

Lynda,

See below for an interesting 2-page attachment prepared by NOAA's Allison Castellan for a call we're having next week. It's the first time we've created options for deciding actions outside of the prescriptive terms of our settlement agreement. Nina Bell may be amenable to renegotiating a longer deadline for approval/disapproval since a different lawsuit initiated by her is the critical source for the delay in moving forward with the all-important Mid-Coast IR-TMDL for temperature (and all the timber harvesting ramifications caught up in it).

Also, here are a couple of links on OR's Mid-Coast Basin that sorta help explain why it's such a big deal. The first is DEQ's TMDL page, complete with CZARA references and a link to the settlement agreement:  
<http://www.deq.state.or.us/wq/tmdls/midcoast.htm>  
And here's a map of all OR's basins:  
<http://www.deq.state.or.us/wq/tmdls/basinmap.htm>

Don

----- Forwarded by Don Waye/DC/USEPA/US on 02/08/2013 03:45 PM -----

**From:** Allison Castellan - NOAA Federal <allison.castellan@noaa.gov>  
**To:** Jayne Carlin/R10/USEPA/US@EPA  
**Cc:** David Croxton/R10/USEPA/US@EPA, David Powers/R10/USEPA/US@EPA, Don Waye/DC/USEPA/US@EPA, jeff.dillen@noaa.gov, Jennifer Wu/R10/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Stephanie.Campbell@noaa.gov, Stephen Sweeney/DC/USEPA/US@EPA, Alan Henning/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, joelle.gore@noaa.gov  
**Date:** 02/08/2013 02:09 PM  
**Subject:** Re: Rescheduled: Legal Options/Timelines Under CZARA 6217 Settlement Agreement If Deadlines are Missed [Call In Number **Not responsive** (Feb 14 11:30 AM PST)]

All--

To prepare for our discussion on how NOAA and EPA would like to approach the upcoming deadlines in the Oregon Settlement Agreement, I put together a quick and dirty options paper listing out the primary options as I see them as well as some potential pros/cons. There may be others that I've left out. We'll need to carefully consider all programmatic, political and legal ramifications of our decision so should be a good discussion next week.

Cheers,  
Allison

On Wed, Feb 6, 2013 at 12:16 PM, <Carlin.Jayne@epamail.epa.gov> wrote:  
Description

Agenda to be sent under separate email.

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